

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SEQUOIA MEDIA,
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:
Plaintiff, :
:
-against- :
:
REDBIRD CONTENT CORPORATION and :
TIFF WINTON, :
:
Defendants. :
-----X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 04/15/2024

24-CV-342 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on February 1, 2024, the Court ordered Plaintiff’s counsel to show cause why he should not be sanctioned for failing to comply with the Court’s orders and for wasting the Court’s time with useless filings, Dkt. 11;

WHEREAS Plaintiff’s counsel responded to the February 1, 2024, order to show cause on February 5, 2024, and asserted that he failed to comply with the Court’s orders because he did not receive the ECF notification that an order had been filed and failed to read the Undersigned’s Individual Rules and Practices, and that his errors were “isolated incidents that will never happen again,” Dkt. 12 at 3–4;

WHEREAS by order dated February 6, 2024, the parties were required to submit a proposed case management plan and joint letter by March 28, 2024, in advance of the initial pretrial conference, Dkt. 13;

WHEREAS Plaintiff’s counsel failed to submit the required pre-conference submissions or to seek an extension of the March 28, 2024, deadline;

WHEREAS on April 1, 2024, the Court ordered Plaintiff's counsel to show cause by April 5, 2024, why he should not be sanctioned for his failure to comply with the Court's order dated February 6, 2024, and the Undersigned's Individual Practices in Civil Cases, Dkt. 16;

WHEREAS Plaintiff's counsel did not respond to the April 1, 2024, order to show cause;

WHEREAS on April 8, 2024, the Court ordered Plaintiff's counsel to show cause not later than April 10, 2024, why he should not be sanctioned for his continuing failure to comply with Court orders, Dkt. 19;

WHEREAS on April 8, 2024, Plaintiff filed a notice of voluntary dismissal, Dkt. 20;

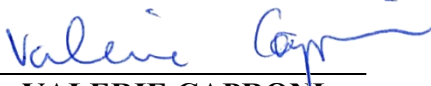
WHEREAS Plaintiff's counsel failed to respond to the April 8, 2024, order to show cause by April 10, 2024; and

WHEREAS the Court "retain[s] the power to determine . . . the appropriateness of sanctions" after a case is closed, *Perpetual Sec., Inc. v. Tang*, 290 F.3d 132, 141 (2d Cir. 2002); *see also Inter-Cnty. Res., Inc. v. Med. Res., Inc.*, 49 F. Supp. 2d 682, 684 (S.D.N.Y. 1999) ("[A] court's power to impose sanctions on litigants for violations of applicable rules does not terminate upon the dismissal of a case.") (citing *Cooter & Gell v. Hartmarx Corp.*, 496 U.S. 384, 395 (1990)).

IT IS HEREBY ORDERED that, pursuant to 28 U.S.C. 1927, Peter Hatzipetros and the Petros Law Group, P.C. are sanctioned \$500 for their repeated and blatant disregard for Court orders. Plaintiff's counsel must file proof of payment not later than **May 1, 2024**.

SO ORDERED.

Date: April 15, 2024
New York, New York


VALERIE CAPRONI
United States District Judge